

Article 9. Unified Program Standardized Forms and Formats

§15400. What is the Unified Program Consolidated Form?

(a) The Unified Program Consolidated Form (UPCF) (1/99), defined in section 15110 and shown in Appendix E, is a standardized form to be used by CUPAs in the Unified Program to collect information from regulated businesses. The UPCF is a single, comprehensive format that consolidates business-to-CUPA reporting requirements within the Unified Program.

(b) The UPCF may be reproduced or electronically duplicated as needed.

Authority cited: Sections 25404(b), (c), (d), and (e) and 25404.6(c), Health and Safety Code. Reference: Sections 25143.10, 25144.6, 25200.3, 25200.14, 25201, 25201.4.1, 25201.5, 25201.13, 25281.2, 25218.9, 25245.4, 25286, 25287, 25503.5, 25505, 25506 and 25509, Health and Safety Code.

HISTORY

1. New article 9 (sections 15400-15410) and section filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).

§15400.1. What is the format of the UPCF and its required elements?

(a) The format of the UPCF refers to the way it is organized [see Figure 5]. The UPCF contains the following sections:

- (1) Facility Information, to be completed by all regulated businesses:
 - (A) Business Activities
 - (B) Business Owner/Operator Identification (OES Form 2730)
- (2) Hazardous Materials:
 - (A) Hazardous Materials Inventory-Chemical Description (OES Form 2731)
- (3) Tanks:
 - (A) Underground Storage Tank (UST) Facility (formerly SWRCB Form A)
 - (B) UST Tank (formerly SWRCB Form B)
 - (C) UST Installation-Certificate of Compliance (formerly SWRCB Form C)
- (4) Hazardous Waste
 - (A) Recyclable Materials Report (per Health and Safety Code, Section 25143.10)
 - (B) Onsite Hazardous Waste Treatment Notification-Facility (formerly DTSC Form 1772)
 - (C) Onsite Hazardous Waste Treatment Notification-Unit (formerly DTSC Forms 1772A, B, C, D, E, and L)
 - (D) Certification of Financial Assurance for Permit by Rule and Conditionally Authorized Onsite Treaters (formerly DTSC Form 1232)

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- (E) Remote Waste Consolidation Site Annual Notification (formerly DTSC Form 1196)
- (F) Hazardous Waste Tank Closure Certification (formerly DTSC Form 1249)

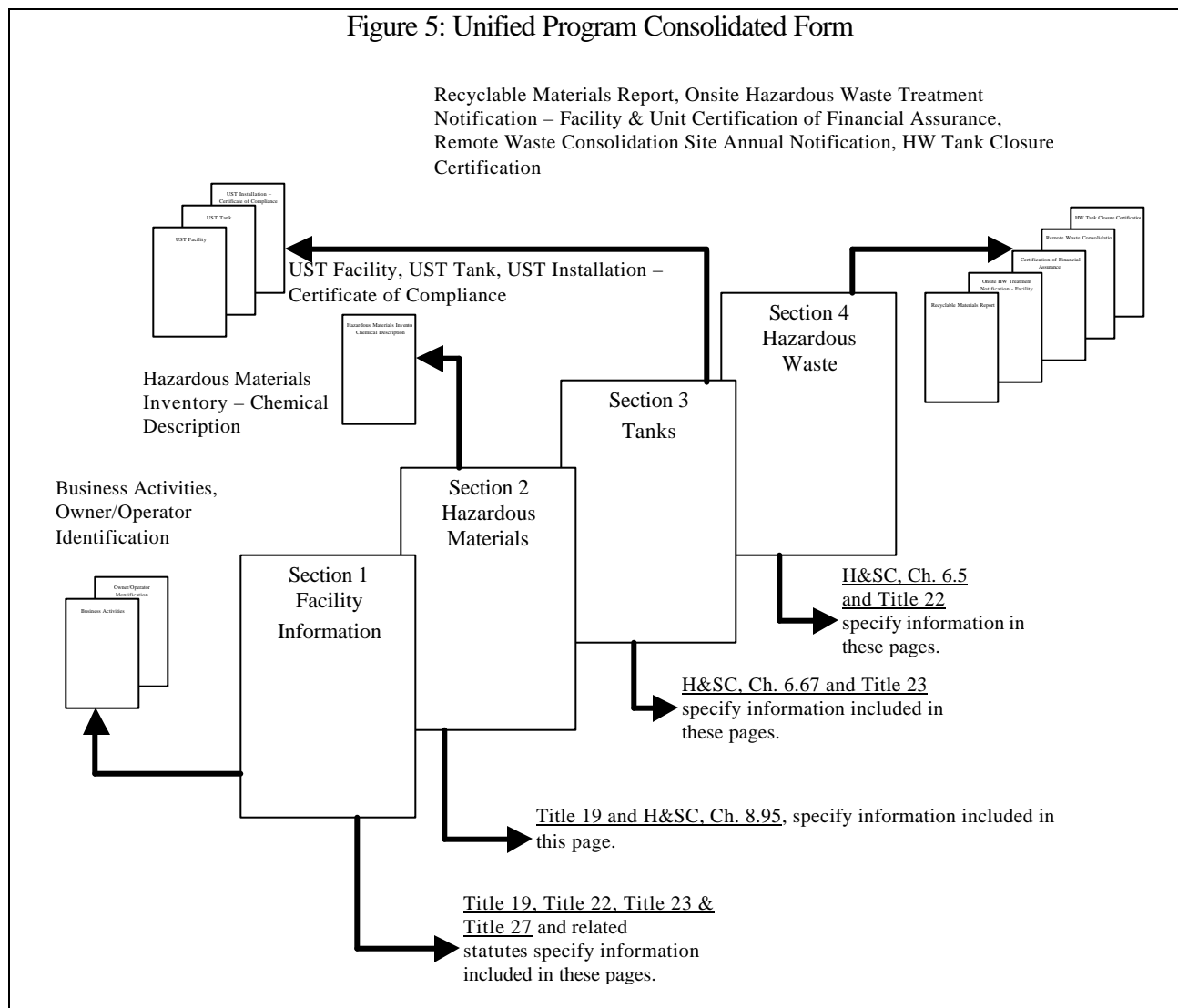
(b) Regulated businesses shall report required elements that are applicable to their business to the CUPA by submitting the sections of the UPCF, a business generated facsimile, or an alternative version developed by their CUPA.

Authority cited: Sections 25404(b), (c), (d), and (e) and 25404.6(c), Health and Safety Code. Reference: Sections 25143.10, 25144.6, 25200.3, 25200.14, 25201, 25201.4.1, 25201.5, 25201.13, 25218.2, 25218.9, 25245.4, 25286, 25287, 25503.5, 25505, 25506 and 25509, Health and Safety Code.

HISTORY

1. New section and figure 5 filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).

Figure 5: Unified Program Consolidated Form



§15400.2. What is the relationship between the UPCF and the forms previously adopted by State departments for the individual program elements?

(a) The Business Owner/Operator Identification page and Hazardous Materials Inventory-Chemical Description page have been adopted by the Office of Emergency Services [Reference Title 19 California Code of Regulations Sections 2729.2(a) and (b)]. These pages are incorporated into the UPCF to achieve coordination in the implementation of the Unified Program and for the convenience of CUPAs and regulated businesses.

(b) Completion of the applicable sections of the UPCF fulfills the requirements to submit the following previously used forms:

(1) The Underground Storage Tank Program Forms A, B, and C previously adopted by the State Water Resources Control Board.

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- (2) The Recyclable Materials Reporting Form previously adopted by the California Conference of Directors of Environmental Health (9/91)
- (3) The Onsite Hazardous Waste Treatment Notification Forms previously adopted as DTSC 1772, 1772 A, B, C, D, E, L, and the Certification of Financial Assurance for Permit by Rule and Conditionally Authorized Operations, DTSC 1232 (8/96) previously adopted by the Department of Toxic Substances Control.
- (4) The Remote Waste/Consolidation Site Annual Notification Form DTSC 1196.
- (5) The Hazardous Waste Tank Closure Certification Form previously adopted as DTSC 1249 (8/98).

(c) To the extent not prohibited by law, completion by a regulated business of its CUPA's alternative version of the UPCF or a business generated facsimile also satisfies the requirements of the above in subdivisions (a) and (b) of this section.

Authority cited: Sections 25404(b), (c), (d), and (e) and 25404.6(c), Health and Safety Code. Reference: Sections 25143.10, 25144.6, 25200.3, 25200.14, 25201, 25201.4.1, 25201.5, 25201.13, 25201.14, 25218.2, 25218.9, 25245.4, 25286, 25287, 25503.5, 25505, 25506 and 25509, Health and Safety Code.

HISTORY

1. New section filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).

§15400.3. When must a CUPA use and distribute the UPCF and when are CUPA alternative versions allowed?

(a) The CUPA shall distribute copies of the UPCF to any regulated business or member of the public upon request. A CUPA may add the name of the CUPA, a logo, and address, phone number, and other identifying information to the UPCF title or footer on one or more pages, without the customized UPCF being considered an alternative version subject to the conditions adopted by this section.

(b) The CUPA shall accept the UPCF as shown in Appendix E from any regulated business that chooses to use it, even if the CUPA adopts one or more alternative versions of the UPCF.

(c) A CUPA may create alternative versions of the UPCF for local purposes such as streamlining for small businesses or addressing a specific type of industry. Any alternative version of the UPCF shall:

- (1) Collect all of the information found on the UPCF that applies to the regulated businesses using the data element definitions established by the data dictionary.
- (2) Be consistent with the data standards adopted throughout Article 5 through 10 of these regulations.
- (3) Use the same section order as shown in Section 15400.1.

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- (4) Be developed in consultation with all other agencies within the CUPA's jurisdiction that are responsible for fire protection, emergency response, and environmental health.
- (5) Not duplicate data elements between sections of the UPCF other than facility ID number and facility name.
- (6) Comply with all applicable federal and state laws.

(d) Alternative versions of the UPCF adopted by a CUPA shall include this written disclaimer statement on a cover page or the front page, printed using a font larger than or equal to 8 points for readability: "This form was developed by the CUPA as an alternative version of the Unified Program Consolidated Form (UPCF). Businesses have the option to use it or the UPCF adopted in state regulations. The CUPA or Participating Agency (PA) must accept the state UPCF and cannot require a business to use the alternative version developed by the CUPA. The CUPA and PA can require businesses to provide additional information on either the UPCF or a supplemental page to that document."

(e) Each CUPA shall provide instructions to the regulated businesses when distributing the UPCF and any alternative versions. These instructions must be consistent with the instructions adopted in California Code of Regulations Title 19, Article 4, Appendix B.

Authority cited: Sections 25404(b), (c), (d), and (e) and 25404.6(c), Health and Safety Code. Reference: Sections 25503.5(a) and (b)(1) and (2), 25505 and 25509, Health and Safety Code.

HISTORY

1. New section filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order, including amendment of subsection (c)(6), transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).

§15400.4. Under what conditions will CUPAs be allowed to require businesses to submit additional information?

- (a) CUPAs shall collect additional local information on either supplemental pages or within the UPCF in the boxes provided on the Business Owner/Operator Identification page (OES Form 2730) and the Hazardous Materials Inventory-Chemical Description page (OES Form 2731).
- (b) CUPAs that have created one or more alternative versions of the UPCF [refer to section 15400.3(c)] may add supplemental requests for information within the alternative version, to the extent space is available.
- (c) CUPAs are prohibited from requesting duplicative information in a different format if that information is part of the Data Dictionary, the UPCF, or that CUPA's alternative version of the UPCF.

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Authority cited: Sections 25404(b), (c), (d), and (e) and 25404.6(c), Health and Safety Code. Reference: Sections 25503.3(a) and 25505, Health and Safety Code.

HISTORY

1. New section filed 1-8-99 as an emergency; operative 1-8-99 (Register 99, No. 2). A Certificate of Compliance must be transmitted to OAL by 5-10-99 or emergency language will be repealed by operation of law on the following day.
2. Certificate of Compliance as to 1-8-99 order transmitted to OAL 4-2-99 and filed 5-14-99 (Register 99, No. 20).

§15410. What forms must be used by Household Hazardous Waste facilities regulated under the Unified Program?

Reserved--under development by Cal/EPA the Department of Toxic Substances Control